

Serial No. 10/606,333 17
Docket No. C14-159454M/TRK
(NGB.261)

REMARKS

Claims 1-4, 6-17, 19-26, 28-38, and 40-42 are all of the claims presently pending in the application. Applicants have canceled claim 39 without prejudice or disclaimer. Applicants have amended claims 1, 17, and 26 to define the claimed invention more particularly. Applicants have added new claims 40-42 to claim additional features of the invention. Applicants submit that claims 40-42 are allowable at least based on similar reasons to those previously set forth with respect to claims 1-4, 6-17, 19-26, and 28-38.

Applicants' representative would like to thank the Examiner for courtesies extended in the telephone interview conducted on February 25, 2009.

Applicants submit this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, Applicants' representative and the Examiner discussed the following:

A. Identification of claims discussed:

Claims 1, 17, and 26.

B. Identification of prior art discussed:

Gunn et al. (U.S. Patent Application Publication No. 2005/0210402; hereinafter "Gunn") and Cirne (U.S. Patent No. 5,625,763).

C. Identification of principal proposed amendments:

None.

D. Brief Identification of principal arguments:

Applicants' representative respectfully pointed out that Gunn teaches, in paragraph [0010], changing the current focus within a button group. Furthermore, Gunn discloses, in paragraphs [0125] and [0128], changing button groups and further changing the focus of the most likely button in the changed-to button group. Finally, Gunn discloses, in paragraphs [0125] and [0128], and in Figures 10-12, the most commonly used character (as predetermined by previous usage) will be displayed in or near the center of a character set grouping that is user selectable.

It is not clear, from the Examiner's rejection, which feature of Gunn the Examiner is referring to as the focused state. It appears that the focused state in Gunn is merely a state in which a cursor is displayed on a button.

In this case, in Gunn, since the purpose of providing the most commonly used character at a center is to reduce the movement of the cursor (see Gunn at paragraph [0166]), it is not helpful to focus the button, which is focused immediately before the button to be focused by the inter-group button changing operation when back to the display of the previous button group.

Therefore, there is no reasonable rationale for one of ordinary skill in the art to combine the saving feature of Cirne with the teachings of Gunn (alone or as modified by the other applied references).

Moreover, the Examiner alleges that Gunn discloses changing character configurations presented to the user based upon the likelihood of a selection where the location is modified to highlight specific characters. According to this assertion, it appears that the Examiner understands that the focused state refers to a state in which a button is provided at a center

Serial No. 10/606,333 19
Docket No. C14-159454M/TRK
(NGB.261)

based on a likelihood of use.

In this case, in Gunn, since the purpose of updating the character configuration is to reflect a likelihood of character selection, it is not helpful to focus the button that is focused immediately before the button to be focused by the inter-group changing operation when back to display a previous button group. This is because the likelihood of a selection is changed before returning to the display of the previous button group.

Therefore, there is no reasonable rationale for one of ordinary skill in the art to combined the saving feature of Cirne with the teachings of Gunn (alone or as modified by the other applied references).

E. Results of the Interview:

In response to the arguments presented, the Examiner indicated that he would maintain the position set forth in the Office Action dated September 4, 2008.

The Examiner, however, suggested possible claim amendments to overcome the current rejections. Accordingly, Applicants have amended the claims above in accordance with the Examiner's suggestions.

In view of the foregoing, Applicants submit that claims 1-4, 6-17, 19-26, 28-38, and 40-42, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Applicants respectfully request the Examiner to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, Applicants request the Examiner to contact the undersigned at the local telephone number

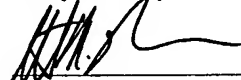
Serial No. 10/606,333 20
Docket No. C14-159454M/TRK
(NGB.261)

listed below to discuss any other changes deemed necessary in a telephonic or personal
interview.

The undersigned authorizes the Commissioner to charge any deficiency in fees or to
credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: March 4, 2009

Respectfully Submitted,



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254